

MEMORANDUM

Agenda Item No. 4(L)

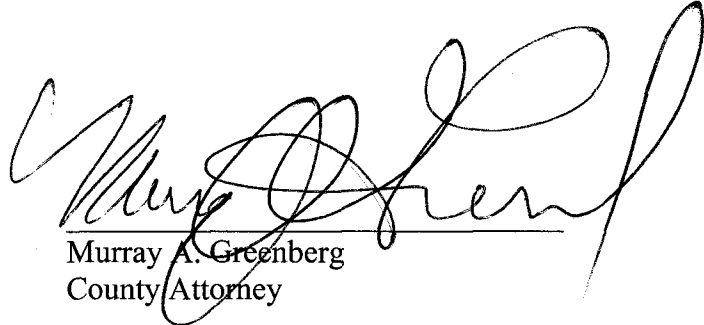
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 6, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance pertaining to
animals; requiring tagging
of pythons

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Barbara J. Jordan.



Murray A. Greenberg
County Attorney

MAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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County Attorney

SUBJECT: Agenda Item No. 4(L)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(L)
12-6-05

ORDINANCE NO. _____

ORDINANCE PERTAINING TO ANIMALS; AMENDING SECTION 5-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING TAGGING OF PYTHONS BY COMMERCIAL ANIMAL ESTABLISHMENTS; AMENDING SECTION 8CC-10 TO PROVIDE AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 5-2 of the Code of Miami-Dade County is hereby amended
as follows:¹

Sec. 5-2. Wild animals and reptiles.

>>(a) << It shall be unlawful for any person ~~[[to persons]]~~ to keep any wild animal or reptile without first complying with the provisions of Chapter 372, Florida Statutes, and all regulations promulgated by the Florida Game and Fresh Water Fish Commission.

>>(b) All commercial animal establishments, as defined in Section 5-2.2 of this article, selling or transferring ownership of pythons shall, at or prior to the time of sale or transfer, provide each python with a unique tag, such as a microchip, and shall file with Miami-Dade County Animal Services one (1) copy of a certificate evidencing the python's sale or transfer, signed by an authorized representative of the establishment responsible for the sale or transfer and identifying the python's unique tag. Any commercial animal establishment that violates any provision of this subsection shall be fined two hundred and fifty dollars (\$200.00) for each separate offense.<<

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Section 2. Section 8CC-10 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 8CC-10. Schedule of civil penalties.

The following table shows the sections of this Code, as they may be amended from time to time, which may be enforced pursuant to the provisions of this chapter; and the dollar amount of civil penalty for the violation of these sections as they may be amended.

The "descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the listed Code sections, except to the extent that different types of violations of the same Code section may carry different civil penalties. For each Code section listed in the schedule of civil penalties, the entirety of that section may be enforced by the mechanism provided in this Chapter 8CC, regardless of whether all activities proscribed or required within that particular section are described in the "Description of Violation" column. To determine the exact nature of any activity proscribed or required by this Code, the relevant Code section must be examined.

<u>Code Section</u>	<u>Description of Violation</u>	<u>Civil Penalty</u>
5-2>>(a)<<	Keeping wild animals or reptiles	200.00
>>5-2(b)	<u>Failure to tag python</u>	<u>200.00</u>
5-2(b)	<u>Failure to file certificate of sale or transfer</u>	<u>200.00</u> <<

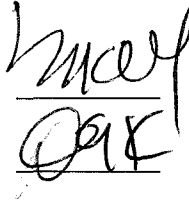
Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

A handwritten signature in black ink, appearing to be 'M. C. F.', written over a horizontal line.

Prepared by:

Dennis A. Kerbel

Sponsored by Commissioner Barbara J. Jordan